

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

UNITED STATES OF AMERICA

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§

Cause No.: MO-22-CR-108-DC

v.

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JOSE ESTRADA-AGUIRRE

§

GOVERNMENT'S MOTION TO DISMISS INDICTMENT

TO THE HONORABLE DAVID COUNTS, UNITED STATES DISTRICT JUDGE:

Comes now the United States of America, by and through the undersigned Assistant United States Attorney, and pursuant to Rule 48 of the Federal Rules of Criminal Procedure, hereby files its Motion to Dismiss the original Indictment filed against the Defendant in the above-captioned case. In support of its motion, the Government would respectfully show the Court the following:

On April 3, 2023, the Defendant was found guilty by jury trial on Counts I and II of the Superseding Indictment in this case. On August 15, 2023, the Court sentenced the Defendant to 37 months confinement on each count, to run concurrently, followed by 3 years of Supervised Release.

WHEREFORE, PREMISES CONSIDERED, the Government respectfully prays this Court dismiss the original Indictment filed in MO-22-CR-108-DC.

Respectfully submitted,

JAIME ESPARZA
United States Attorney

By: /s/ Mary Lopez
MARY LOPEZ
Assistant United States Attorney
400 W. Illinois, Suite 1200
Midland, TX 79701
MAIN: 432-686-4110

Certificate of Service

I hereby certify that on August 15, 2023, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the Defendant's counsel.

/s/ Mary Lopez
MARY LOPEZ
Assistant United States Attorney

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ORDER DISMISSING INDICTMENT

On this day came on to be heard the motion of the United States to dismiss the original Indictment against Defendant in the above captioned case. Having considered same, the Government's motion is hereby GRANTED.

SIGNED and ENTERED this _____ day of _____, 2023.

DAVID COUNTS
United States District Judge